THE HON'BLE SRI JUSTICE K.C. BHANU

W.P.No.10503 of 2007

Date: 16.05.2007

Between:

S. Prakash Rao .. Petitioner

And

Greater Visakhapatnam Municipal Corporation .. Respodnent

THE HON'BLE SRI JUSTICE K.C. BHANU

W.P.No.10503 of 2007

ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondent in trying to demolish the structures constructed by the petitioner in the land admeasuring Ac.0.31 cents situated in Survey No.113/54 of Chinamushidiwada Pendurthi Mandal, Visakhapatnam District, as illegal and arbitrary.

Heard both sides.

Admittedly, the respondent-Municipal Corporation has not issued any notice under Section 450 of the Hyderabad Municipal Corporation Act, 1955, before proceeding to demolish the structures constructed by the petitioner in the land in question. Therefore, without issuing any notice, the respondent has no authority to interfere with the structures constructed by the petitioner.

Hence, the writ petition is disposed of with a direction to the respondent not to demolish the structures constructed by the petitioner

in the land in question. However, this order will not preclude the respondent in taking appropriate steps in accordance with law. No costs.

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K. C. BHANU, J

Date: 16.05.2007
lsn/sj

THE HON'BLE SRI JUSTICE K.C. BHANU

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